

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
ALEXANDRIA DIVISION**

HALEH MERRIKH,

Plaintiff,

v.

AMERICAN HOME MORTGAGE ASSETS TRUST  
2006-3; and SURETY TRUSTEES, LLC,

Defendants.

Case No. 1:13-cv-209

**DEFENDANT CITIBANK, N.A., AS TRUSTEE FOR  
AMERICAN HOME MORTGAGE ASSETS TRUST 2006-3'S  
MOTION TO DISMISS PURSUANT TO FED. R. CIV. P. 12(b)(6)**

COMES NOW Citibank, N.A., as Trustee for American Home Mortgage Assets Trust 2006-3 ("Citibank, as Trustee"), through counsel, and moves to dismiss the Complaint filed by Plaintiff Haleh Merrikh ("Merrikh"), for lack of standing, on the grounds of collateral estoppel and judicial estoppel, and for failure to state a claim pursuant to Fed. R. Civ. P. 12(b)(6), as more fully set forth in the Memorandum of Law filed herewith.

Dated: March 4, 2013

Respectfully submitted,

WEINER BRODSKY KIDER PC

By: /s/ Michael Y. Kieval  
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*Counsel for Defendant Citibank, N.A., as Trustee*

**CERTIFICATE OF SERVICE**

I hereby certify that, on this 4th day of March, 2013, I am filing the foregoing Defendant Citibank, as Trustee's Motion to Dismiss, by ECF, which will cause electronic service to be effected on all counsel of record.

/s/ Michael Y. Kieval  
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